

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUFUS E. DENNIS,

Defendant.

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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INDICTMENT

The Grand Jury charges that

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US DISTRICT COURT
DISTRICT OF NEBRASKA

JUL 26 2021

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COUNT 1 - ATTEMPTED ROBBERY

1. That at all times material to this Indictment Victim 1 and Victim 2, persons known to the grand jury, was engaged in illegal distribution of marijuana, synthetic marijuana, and methamphetamines, controlled substances, in interstate commerce and affecting interstate and foreign commerce.

2. That between on or about January 9, 2020, and on or about January 29, 2020 in the District of Nebraska, and elsewhere, defendants, RUFUS E. DENNIS, did attempt to obstruct, delay and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951, in that the defendant did unlawfully attempt to take and obtain personal property consisting of United States currency and a quantity of controlled substances, from the person of and in the presence of Victim 1 and Victim 2, against Victim 1 and Victim 2's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to Victim 1 and Victim 2's, person and to the persons and relatives and members of Victim 1 and Victim 2's family, that is, by the defendant brandishing and discharging

firearms, through the use of a device known as a tazer, and by attempting to unlawfully enter the home of Victim 1 and Victim 2.

All in violation of Title 18, United States Code, Section 1951 and Section 2.

COUNT II – CONSPIRACY TO COMMIT ROBBERY

Between on or about January 1, 2020 and on or about January 29, 2020, in the District of Nebraska and elsewhere, RUFUS E. DENNIS, defendant herein, did knowingly and willfully conspire and agree together with a person known to the grand jury, and with other persons known and unknown to the grand jury, to commit interference with commerce by robbery, by attempting to unlawfully taking and obtaining personal property consisting of controlled substances and money, from the presence of employees of Victim 1 and Victim 2, known to the grand jury, and their relatives and family members, and Victim 1 and Victim 2, were engaged in the distribution of controlled substances in interstate commerce, and in a business which affects interstate commerce, by means of actual and threatened force, violence, and fear of injury, immediate and future by the defendant brandishing and discharging firearms, through the use of a device known as a tazer, and by attempting to unlawfully enter the home of Victim 1 and Victim 2.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that the defendant would pretend to be affiliated with a utilities company in order to gain entry to Victim 1 and Victim 2's residence through deception and then to taze Victim 1 upon entering the residence.

It was part of the conspiracy for the defendant to attempt to trade a stolen Assault Rifle in the defendant's possession for handguns that would be used in the planned home invasion and robbery.

It was part of the conspiracy that the defendant would conduct surveillance on the residence of Victim 1 and Victim 2 in order to further the conspiracy and to learn the patterns of behavior of those individuals living at the residence to aid the defendant in planning the home invasion and robbery.

OVERT ACTS

In furtherance of the conspiracy identified above, and to affect the objects of the conspiracy, the following overt acts, among others, were committed in the District of Nebraska and elsewhere:

1. On or about January 9, 2020, the defendant and a person known to the grand jury conducted surveillance on Victim 1 and Victim 2's residence, and the occupants of the residence.
2. On or about January 16, 2020, the defendant and a person known to the grand jury conducted surveillance on Victim 1 and Victim 2's residence, and the occupants of the residence.
3. On or about January 22, 2020, the defendant and a person known to the grand jury conducted surveillance on Victim 1 and Victim 2's residence, and the occupants of the residence.
4. On or about January 26, 2020, the defendant caused a photograph of a stolen Assault Rifle in the defendant's possession to be transmitted to another person known to the grand jury for the purpose of getting that person to agree to conduct a transaction with the defendant for multiple handguns.

All in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT III – POSSESSING A FIREARM IN FURTHERANCE OF ROBBERY

Between on or about January 9, 2020 and on or about January 29, 2020, in the District of Nebraska, RUFUS E. DENNIS, defendant herein, did knowingly possess a firearm, to wit, a stolen Automatic Rifle, in furtherance of a crime of violence for which he may be prosecuted in a

court of the United States, that is, interference with commerce by robbery, in violation of Title 18, United States Code, Section 1951.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT IV – FIREARMS CONSPIRACY

Between on or about January 9, 2020 and on or about January 29, 2020, in the District of Nebraska, RUFUS E. DENNIS, defendant herein, did intentionally and knowingly conspire, combine, confederate, and agree with persons known and unknown to the grand jury, to knowingly possess firearms in furtherance of crimes of violence, that is, a conspiracy to interfere with commerce by robbery and attempted robbery, violation of Title 18, United States Code, Section 1951.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that the defendant and a person known to the grand jury would conspire to rob Victim 1 and Victim 2 using firearms, that is handguns, in order to get Victim 1 and Victim 2 to comply with the defendant's demands during the robbery and so that the defendant could shoot to kill Victim 1 if Victim 1 were present at the planned home invasion and robbery.

It was part of the conspiracy that the defendant agreed to meet with a person known to the grand jury for the purpose of trading a stolen Assault rifle that the defendant possessed at all times relevant for Count IV to trade that weapon as part of a transaction to obtain handguns to use during and in relation to the robbery.

OVERT ACTS

In furtherance of the conspiracy identified above, and to affect the objects of the conspiracy, the following overt acts, among others, were committed in the District of Nebraska and elsewhere:

1. Between on or about January 9, 2020, and on or about January 29, 2020, the defendant possessed a stolen Assault Rifle that the defendant stole from a person known to the grand jury during a burglary of that individual's home.
2. On or about January 22, 2020, the defendant identified a specific firearm that the defendant wanted to obtain from a person known to the grand jury for a specific price. The defendant was at all times relevant for Count IV a convicted felon who could not legally possess any firearms.
3. On or about January 26, 2020, the defendant caused a photograph of a stolen Assault Rifle in the defendant's possession to be transmitted to another person known to the grand jury for the purpose of getting that person to agree to conduct a transaction with the defendant for multiple handguns.

All in violation of Title 18, United States Code, Section 924(O) and Section 2.

COUNT V – FELON IN POSSESSION

Between on or about January 9, 2020 and on or about January 29, 2020, in the District of Nebraska, RUFUS E. DENNIS, defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: on or about May 10, 1996, in the District Court of Douglas County, Nebraska, Felony Homicide and Use of Deadly Weapon to Commit a Felony, did knowingly possess in and affecting interstate commerce, a stolen Hi Point model, 9 mm Assault Rifle with a tactical flashlight taped to the barrel, which had been shipped and transported in interstate and foreign commerce. *JAAN*

COUNT VI – POSSESSION OF A STOLEN FIREARM

Between on or about January 20, 2008 and on or about January 29, 2020, in the District of Nebraska, RUFUS E. DENNIS, defendant herein, knowingly possessed, stored, and attempted to barter, a stolen firearm, that is a Hi Point model, 9 mm Assault Rifle with a tactical flashlight taped *In violation of Title 18, United States Code, Section 922(g)(1).*
JW
PD

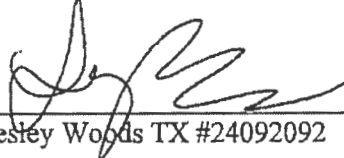
to the barrel, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen.

In violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

A TRUE BILL.

~~FORE~~PERSON/

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.


Lestey Woods TX #24092092